6/R27

LIBRARY
JAN 7 1966
FISH & WILDLIFE SERVICE

Report of the Second Session

FAO WORKING PARTY FOR RATIONAL UTILIZATION OF TUNA RESOURCES IN THE ATLANTIC OCEAN

Rome, 6-13 July 1965

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS
Rome, 1965

FAO FISHERIES REPORTS

A series of reports of meetings, surveys and other activities of FAO Fisheries Division. Other recent documents in this series published since January 1965 are:

FIe/R8.1	(En)	Landing and marketing facilities at selected sea fishing ports	1965
FIe/R8.1	(Fr)	Installations de débarquement et de commercialisation de certains ports de pêche maritime	1965
FIe/R8.1	(Es)	Instalaciones y servicios para el desembarque y comercializaciones en determinados puertos marítimos	1965
FIt/R19	(En)	Report of the FAO symposium on the significance of fundamental research in the utilization of fish, Husum, Federal Republic of Germany, 26-30 May 1964	1965
FIt/R19	(Fr)	Rapport de la réunion FAO sur l'importance de la recherche fondamentale dans l'utilisation du poisson, Husum, République fédérale d'Allemagne, 26-30 mai 1964	1965
FIt/R19	(Es)	Informe de la reunión de la FAO sobre la importancia de la investigación teórica en el aprovechamiento del pescado, Husum, República Federal de Alemania, 26-30 mayo 1964	1965
FIb/R20	(En)	Report of the second session of the advisory committee on marine resources research, Rome, 6-12 February 1964	1964
FIe/R21		Report of the fourth session — continuing working party on fishery statistics in the north Atlantic area, Rome, 9-12 March 1965	1965
FIe/R22.1	(En)	Report of the meeting on business decisions in fishery industries, Rome, 21-25 September 1964. Vol. 1 — Report	1965
FIe/R22.2		Report of the meeting on business decisions in fishery industries, Rome, 21-25 September 1964. Vol. 2 — Working Papers	1965
FIe/R22.3		Report of the meeting on business decisions in fishery industries, Rome, 21-25 September 1964. Vol. 3 — Working Papers	1965
FIb/R23	(En)	Report of the third session of the advisory committee on marine resources research, Rome, 1-8 March 1965	1965
FIe/R24	(En)	Mechanization of small fishing craft under revolving fund arrangements in developing countries. By A. J. Thomas	1965
FI/R25		Informe de la segunda reunión de la comisión asesora regional de pesca para el Atlántico sud-occidental: Mar del Plata, Argentina, 27-30 abril 1964	1965
FIe/R26		Programa de desarrollo pesquero para la República Oriental del Uruguay (Distribución limitada)	1965
FIb/R27	(En)	Report of the FAO working party for rational utilization of tuna resources in the Atlantic ocean: second session, FAO, Rome, 6-13 July 1965	1965

Unserialized reports dated earlier than January 1962 and earlier documents in this series are listed in the FAO Catalogue of Fisheries Publications and Documents (1963). Certain unserialized reports may be reprinted in this series as the unserialized versions go out of print.

REPORT OF THE SECOND SESSION OF THE FAO WORKING PARTY FOR RATIONAL UTILIZATION OF TUNA RESOURCES IN THE ATLANTIC OCEAN

Rome, 6 - 13 July 1965

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS
Rome, July 1965

PREPARATION OF THIS REPORT

This is an approved version of WPUTR/2/WP 3 as amended at the closing session of the Working Party and which incorporates a Draft International Convention for the Conservation of Atlantic Tunas (WPUTR/2/WP 2 Rev.1).

Distribution:

FAO Fisheries Division
FAO Regional Fisheries Officers
Members of ACMRR
Members of the Expert Panel for the Facilitation of Tuna Research
Participants and observers of the FAO Working Party for Rational Utilization of Tuna Resources in the Atlantic Ocean
FAO Member and Associate Member Nations
IOC
FBCB Selector 5

28893/1

"Current Bibliography" Entry:

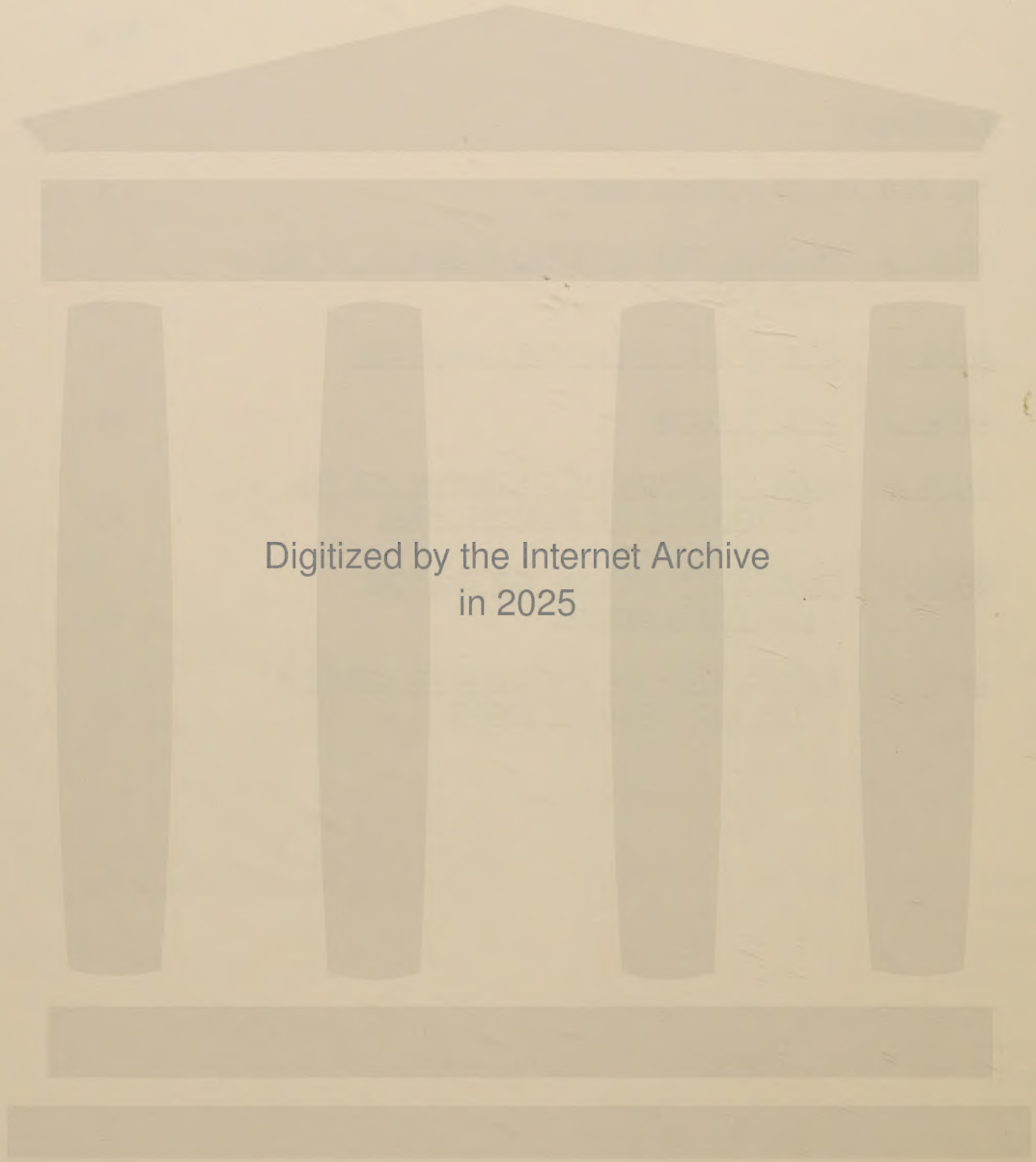
FAO Working Party for Rational Utilization of Tuna Resources in the Atlantic Ocean. Second session, FAO, Rome: 6-13 July 1965 (1965) M
FAO Fish.Rep., (27):27 p.
Report of the .....

Contains background information on the action taken by FAO on the report of the first session of the Working Party, the work of the second session of the Working Party, and six annexes containing deliberations of the 43rd session of the FAO Council, list of participants and observers, list of papers, draft international convention for the conservation of Atlantic tunas, relationship between the proposed commission and FAO, and a report by the working group on statistics of Atlantic tuna and tuna-like fishes.

Co 8-05003

C O N T E N T S

		Page
I	BACKGROUND	1
II	THE WORK OF THE WORKING PARTY	1
	ANNEX 1: DELIBERATIONS OF THE 43rd SESSION OF THE FAO COUNCIL	3
	ANNEX 2: LIST OF PARTICIPANTS AND OBSERVERS	5
	ANNEX 3: LIST OF PAPERS	11
	ANNEX 4: DRAFT INTERNATIONAL CONVENTION FOR THE CONSERVATION OF ATLANTIC TUNAS	13
	ANNEX 5: RELATIONSHIP BETWEEN THE PROPOSED COMMISSION AND FAO	23
	ANNEX 6: WORKING GROUP ON STATISTICS OF ATLANTIC TUNA AND TUNA-LIKE FISHES	25



Digitized by the Internet Archive
in 2025

https://archive.org/details/fao-fisheries-and-aquaculture-report_1965_27

I BACKGROUND

At the conclusion of its first session in FAO, Rome, (25 - 30 October 1963) the Working Party decided that if a second session were found to be necessary by the Chairman of the Working Party and the Director-General of FAO, in consultation, it was to be called at such date as they found to be convenient and held at FAO Headquarters, Rome.

Upon the carrying out of the recommendations of the first session of the Working Party, the Director-General brought the report of its first session, with related documents, to the attention of the Forty-third Session of the FAO Council, 5 October 1964. The results of its deliberations are set out in Annex 1.

Pursuant to this action of the FAO Council the Chairman of the Working Party and the Director-General of FAO decided that a second session of the Working Party was desirable.

II THE WORK OF THE WORKING PARTY

The Working Party convened its second session at FAO Headquarters, Rome, 6 - 13 July 1965. Delegations were present from Brazil, France, Japan, Nigeria, Portugal, Senegal and the United States of America. A list of the participants is attached as Annex 2. It elected as Chairman Dr. E. Varoli of Brazil, and as Vice-Chairmen Dr. R. Ando of Japan and Dr. J. L. McHugh of the United States of America. Dr. B. Diop of Senegal and Dr. R. A. Lagarde of France were asked to serve with the Chairman and two Vice-Chairmen as members of a steering committee. Dr. W. M. Chapman of the United States of America was elected Rapporteur.

The following member nations of FAO, and intergovernmental organizations were represented by observers: Cuba, the Federal Republic of Germany, Italy, Mexico, International Council for the Exploration of the Sea (ICES), International Commission for the Northwest Atlantic Fisheries (ICNAF), and the Scientific Commission for Techniques and Research of the Organization for African Unity (SCTR/OAU).

The Working Party adopted the following agenda:

1. Opening of the session.
2. Determination of officers.
3. Adoption of agenda.
4. Time schedule and procedures.
5. Consideration of organization to handle Atlantic tuna matters.
6. Proposed Conference of Plenipotentiaries.
7. Statistics of Atlantic tuna catches.
8. Adoption of report.
9. Next session of the Working Party.
10. Any other business.

The Working Party had before it a series of background papers prepared by the staff of FAO and those submitted by members before and during the session. A list of these background papers is attached as Annex 3.

Under agenda item 5, the Working Party had before it Working Papers 2, 2A, 2B and 2C. It adopted the draft International Convention for the Conservation of Atlantic Tunas set out in Annex 4, together with the notes and reservations attached thereto. It decided that if an International Commission for the Conservation of Atlantic Tunas were established, it should have relationships with FAO of the nature set out in Annex 5.

Under agenda item 6 the Working Party agreed, (a) upon the desirability of establishing an international commission for the conservation of the tuna and tuna-like fishes of the Atlantic Ocean, (b) to recommend to the Director-General of FAO that he propose to the Conference of FAO that it authorize the calling of a Conference of Plenipotentiaries for the purpose of concluding an international convention for the establishment of such a commission, (c) that the Conference of Plenipotentiaries should have before it the documents in Annex 4 and Annex 5 of this report, and (d) that the Conference of Plenipotentiaries should be called about in April 1966 at a date and place to be established by the Conference of FAO. The Delegate of Brazil notified the Working Party that his Government would be pleased to be host for the Conference of Plenipotentiaries if held at about that time. The Working Party also considered it desirable that arrangements be made for all Member Nations of FAO and Associate Members of FAO and all nations non-members of FAO that are members of the United Nations or of a specialized agency of the United Nations to be invited to send duly authorized representatives to such a Conference of Plenipotentiaries, and that such international fisheries commissions, councils and organizations as indicated a desire to participate should be invited by FAO to send observers, having regard particularly to the recommendations on this matter in the report of the first session of the Working Party. The Working Party agreed that the only substantive agenda item for the Conference of Plenipotentiaries should be the consideration of an international convention for the conservation of Atlantic tuna and tuna-like fishes, for which the Working Party has prepared a draft, as set out in Annex 4 of this report.

Under Agenda item 7, the Working Party established a Working Group on Statistics of Atlantic Tuna and Tuna-like Fishes consisting of representatives of the delegations of France, Japan, Portugal and the United States of America plus the observer from the Federal Republic of Germany. The Working Party adopted the report of this Working Group on Statistics in the form set out in Annex 6.

The Working Party adopted this report of its second session at its plenary meeting, 13 July 1965. Having done so, and considering that it had completed its work, it adjourned. It decided that if, however, any further session of the Working Party were found to be necessary, the time and place for such a third session should be established by the Chairman of the Working Party and the Director-General of FAO in consultation.

ANNEX 1

DELIBERATIONS OF THE 43rd SESSION OF THE FAO COUNCIL

122. The Council had before it the report of its Working Party on the Rational Utilization of Tuna Resources in the Atlantic Ocean (FIb/R13), which had been circulated in March 1964 to all Member Nations and Associate Members by the Director-General with a request for comments. Comments had also been invited from ten fishery councils and commissions. Summaries of replies received from thirty-three Member Nations and three international bodies were presented to the Council.

123. The Council expressed its agreement with certain conclusions and recommendations of the Working Party, i.e.:

(a) that problems of all the groups of tunas and tuna-like fishes inhabiting the entire Atlantic Ocean required urgent attention;

(b) that it was necessary to continue and expand programs of research in a number of fields enumerated by the Working Party; and

(c) that to this end not only statistics on catches and landings were required but also a detailed and co-ordinated system of data collection must be put into effect as soon as possible.

These conclusions and recommendations had also on the whole been supported by Member Nations and international organizations consulted by the Director-General.

124. The Council noted that the majority of the members of the Working Party and of the governments consulted by the Director-General had expressed the view that a new organization was needed to handle Atlantic tuna matters, but that some governments had felt that existing organizations could undertake this responsibility. In the Council itself, a majority of delegations, supported by one of the nations attending as observers, favored the setting-up of a new organization as a matter of urgency. A few felt that its establishment should be deferred or not be undertaken at all. One of these Members recalled that there already was a special committee for the co-ordination of tuna research in the Atlantic Ocean within the International Council for the Exploration of the Sea (ICES), which had decided to extend its area of interest so as to encompass the entire Atlantic Ocean. In this respect the ICES observer at this Session drew attention to the recently approved convention, and referred to the long-standing co-operation between the ICES and the Fisheries Division of FAO for co-ordinating the production and publication of statistics over the Northern Atlantic. The ICES observer pointed out that although ICES had not worked to a major extent on tuna, it would gladly co-operate with and assist any other international body with related aims.

125. The majority of Council Members favoring a new organization for Atlantic tuna agreed with the suggestion that a conference of plenipotentiaries of the interested

nations should be called to discuss the character, functions and modus operandi of such an organization and if agreement were reached to take steps to set it up. Such a conference could also give consideration to the other matters on which the Working Party had made recommendations or expressed views. One delegate expressed the hope that FAO would accept the city of Recife as the seat of the proposed organization.

126. The Council came to the conclusion that the matter should be referred to the Thirteenth Session of the Conference for a decision, but requested the Director-General meantime to undertake preparatory work including further consultations with member countries and interested international organizations so that if the Thirteenth Session of the Conference decided that a conference of plenipotentiaries should be called, it could meet, if possible, early in 1966. If it appeared desirable, a further meeting of the Working Party on Rational Utilization of Tuna Resources in the Atlantic Ocean could be convened in the interval by the Director-General in consultation with the Chairman of the Working Party.

ANNEX 2

LIST OF PARTICIPANTS AND OBSERVERS

Brazil

VAROLI, Dr. E. - Delegate
Superintendent
Superintendência do Desenvolvimento
da Pesca (SUDEPE)
Praça 15 de Novembro
Rio de Janeiro

France

LAGARDE, Dr. R. A. - Delegate
Chef du service administratif des Pêches
Marine Marchande
3 Place de Fontenoy
Paris VIIe

MAURIN, Mr. C. - Adviser
Chef de laboratoire
Institut scientifique et technique des
pêches maritimes
6 rue Voltaire
Sète (Hérault)

Japan

ANDO, Dr. R. - Delegate
Deputy Director
Latin American and Emigration Bureau
Ministry of Foreign Affairs
Chiyoda-ku
Tokyo

ARIMATSU, Dr. A. - Alternate
First Secretary
Japanese Embassy
Via Virginio Orsini 18
Rome

ITO, Mr. S. - Alternate
First Secretary
Japanese Embassy
Via Virginio Orsini 18
Rome

KAMENAGA, Mr. T. - Alternate
Director
Production Division
Fisheries Agency
Ministry of Agriculture and Forestry
Tokyo

ISOGAI, Mr. T. - Associate
Second Secretary
Japanese Embassy
Ottawa

MIMURA, Mr. K. - Associate
Fisheries Expert
First Research Section
Fisheries Agency
Ministry of Agriculture and Forestry
Tokyo

MASUDA, Mr. S. - Adviser
Vice-President
Federation of the Skipjack and Tuna
Fishing Cooperatives of Japan
2-7 Hirakawa-cho
Chiyoda-ku
Tokyo

Nigeria

OKWUOSA, Mr. E. A. - Delegate
Agricultural Attaché
Embassy of Nigeria
Via de Villa Sacchetti 11
Rome

Portugal

GORMICHO BOAVIDA, Cmdr. J. - Delegate
Subdirector das Pescarias
Rua Soldados da India 34
Lisbon 3

Senegal

DIOP, Dr. B. - Delegate
Directeur-Adjoint
Service de l'Océanographie et des
Pêches Maritimes
B.P. 289, Dakar

United States of America

McHUGH, Dr. J. L. - Delegate
Assistant Director for Biological Research
Bureau of Commercial Fisheries
Department of the Interior
Washington 25, D.C.

BLOW, Mr. S. - Alternate
Office of Special Assistant for
Fisheries and Wildlife
Department of State
Washington, D.C.

CARRY, Mr. C. R. - Adviser
Executive Director
Tuna Research Foundation Inc.
Terminal Island
California

CHAPMAN, Dr. W. M. - Adviser
President
Van Camp Foundation
739 Golden Park Avenue
San Diego 6
California

NIZETICH, Mr. A. V. - Adviser
Director
Starkist Foods Inc.
582 Tuna Street
Terminal Island
California

OBSERVERS

Cuba

MANSUR, Dr. J. S.
Encargado de Negocios
Embassy of Cuba
Via San Valentino 21
Rome

Federal Republic of Germany

TIEWS, Dr. K.
Technical Officer
Federal Institute for Fisheries Research
Palmaille 9
Hamburg-Altona

Italy

BINI, Prof. G.
Laboratorio Centrale di Idrobiologia
Piazza Borghese 91
Rome

MEGLIO, Dr. G.
Direction Générale de la Pêche Maritime
Ministère de la Marine Marchande
Viale Trastevere
Rome

OLIVA, Dr. A.
Conseiller
Direction Générale de la Pêche Maritime
Ministère de la Marine Marchande
Viale Trastevere
Rome

INTERNATIONAL ORGANIZATIONS

International Council for the Exploration of the Sea (ICES)

LOZANO CABO, Dr. F.
Alcala 27
Madrid
Spain

International Commission for the Northwest Atlantic Fisheries (ICNAF)

McHUGH, Dr. J. L.
Assistant Director for Biological Research
Bureau of Commercial Fisheries
Department of the Interior
Washington 25, D.C.
U.S.A.

Scientific Commission for Techniques and Research of the Organization for African Unity (SCTR/OAU)

POSTEL, Dr. E.
Coordinateur
Réseau Océanographie-Pêches Maritimes
ORSTOM
24 rue Bayard
Paris 8ème
France

OFFICERS OF THE MEETING

Chairman	- Dr. E. Varoli	(Brazil)
Vice-Chairmen	- Dr. R. Ando	(Japan)
	- Dr. J. L. McHugh	(U.S.A.)
Rapporteur	- Dr. W. M. Chapman	(U.S.A.)

STEERING COMMITTEE

The Delegations of Brazil, France, Japan, Senegal, U.S.A.

DRAFTING COMMITTEE

The Delegations of Japan, Nigeria, Senegal, U.S.A.

STATISTICAL COMMITTEE

The Delegations of France, Japan, Portugal, U.S.A., the Observer from the Federal Republic of Germany and Mr. L. P. D. Gertenbach, FAO Secretariat

SECRETARIAT

Technical Secretary	- Horacio Rosa, Jr.
Administrative Secretary	- Mary Clare de Freitas
Assistants	- Rhoda Capparucci Gloria Misserville Hermione Montaner

Interpreters - Chantal Corajaud
Maria Teresa Iordanow
Henry Lewis-Comas
Maria Roverano
Angel Sifré
Antonio Vilaplana

FAO FISHERIES DIVISION

Roy I. Jackson
Director

F. E. Popper
Deputy Director

L. P. D. Gertenbach
Chief, Fisheries Statistics Section
Fisheries Economics Branch

FAO DEPARTMENT OF PUBLIC RELATIONS AND LEGAL AFFAIRS

A. Roche
Legal Officer
Office of the Legal Counsel

J. Carroz
Chief, Fisheries, Forestry and
Atomic Energy Law Section
Legislation Research Branch

ANNEX 3

LIST OF PAPERS

1. Working Papers

WPUTR/2/WP 1	Annotated Agenda
2	Draft International Convention for the Conservation of Atlantic Tunas and Commentary Regarding the International Convention for the Conservation of Atlantic Tunas
2 (Rev.1)	Draft International Convention for the Conservation of Atlantic Tunas
2A	Comments on the Draft International Convention for the Conservation of Atlantic Tunas
2B	Proposals for Amendments to the U.S.A. Draft International Convention for the Conservation of Atlantic Tunas (Ref. WPUTR/2/WP 2)
2C	Relationship between FAO and Proposed Commission for the Conservation of Atlantic Tunas
3	Draft Report

2. Information Papers

WPUTR/2/IP 1	Information for Participants
2	FAO Council Documents, 40th and 43rd Sessions
3	Fishing Records and Bridge Logbooks used by the Inter-American Tropical Tuna Commission
4	Papers on Statistical Systems for Tuna Fisheries
5	Research Program of Japan for the Rational Utilization of the Atlantic Tuna Resources
6	Tuna-like and Mackerel-like Scombriforms: Catches in all Oceans
7	Tuna-like and Mackerel-like Scombriforms: Catches in the Atlantic
8	Tuna-like and Mackerel-like Scombriforms in Airtight Containers: Production and Exports
9	Tuna-like and Mackerel-like Scombriforms (Sampled Collection only): Japanese Catches in the Atlantic
10	The Fishery for Tuna-like and Mackerel-like Scombriforms by Fishing Craft from Japan
11	Establishment, Structure, Functions and Activities of International Fisheries Bodies. II Inter-American Tropical Tuna Commission (IATTC)
12	A Review of the Atlantic Tuna Fisheries (1964)

WPUTR/2/IP 13	FAO Working Party for Rational Utilization of Tuna Resources in the Atlantic Ocean - First Session - Report
14	FAO Expert Panel for the Facilitation of Tuna Research - First Session - Report
15	Establishment, Structure, Functions and Activities of International Fisheries Bodies. I - Indo-Pacific Fisheries Council (IPFC)
16	Comparison and Abstracts of Selected Conventions Establishing Fisheries Commissions
17	Provisional List of Papers
18	Remarks by the Japanese Delegate
19	Provisional List of Participants
20	United States Atlantic Tuna Landings, 1945-1964
21	Statement of the Senegal Delegate at the Opening Session
22	Report of Nankai Regional Fisheries Research Laboratory No. 21

ANNEX 4

DRAFT INTERNATIONAL CONVENTION FOR THE CONSERVATION OF ATLANTIC TUNAS

PREAMBLE

The Governments whose duly authorised representatives have subscribed hereto, considering their mutual interest in the populations of tuna and tuna-like fishes found in the Atlantic Ocean, and desiring to cooperate in maintaining the populations of these fishes at levels which will permit the maximum sustainable catch, resolve to conclude a convention for the conservation of the resources of the tuna and tuna-like fishes of the Atlantic Ocean, and to that end agree as follows:

ARTICLE I

The area to which this convention shall apply, hereinafter referred to as the "Convention area", shall be all waters of the Atlantic Ocean including the adjacent seas.

ARTICLE II

1. The Contracting Parties shall establish and maintain a Commission, to be known as the International Commission for the Conservation of Atlantic Tunas, hereinafter referred to as the "Commission", which shall carry out the objectives set forth in this Convention.

2. Each of the Contracting Parties may appoint not more than three Commissioners, who shall represent it in the Commission. Each Contracting Party may also appoint experts and advisors to assist its Commissioners at meetings.

3. Decisions of the Commission shall be taken by a two-thirds majority of all Contracting Parties present and voting, each Contracting Party having one vote. A quorum shall constitute one-half of the Contracting Parties.

4. The Commission shall hold a regular meeting once every two years. A special meeting may be called at any time at the request of a simple majority of the Contracting Parties or by decision of the Council, provided for in Article V.

5. At its first meeting, and thereafter at each regular meeting, the Commission shall select from among its members a Chairman, a First Vice-Chairman, and a Second Vice-Chairman.

6. The meetings of the Commission and its subsidiary bodies shall be public unless the Commission otherwise decides.

7. The official languages of the Commission shall be English, French and Spanish, and members of the Commission may use any official language during meetings.

8. The Commission shall adopt and amend as necessary, rules, bylaws, and financial regulations for conducting its meetings and those of its subsidiary bodies for exercising their functions.

9. The Commission shall submit biennially to the Contracting Parties a report of its work and findings, and also shall inform such Contracting Parties, whenever it is deemed advisable, on any matter relating to the objectives of the Convention.

ARTICLE III

1. The Contracting Parties agree that there should be a close working relationship between the Commission and the Food and Agriculture Organization of the United Nations. To this end the Commission shall enter into negotiations with the Food and Agriculture Organization of the United Nations with a view to concluding agreements pursuant to Article XIII of the Organization's Constitution regarding this relationship. Such agreements should provide, inter alia, for the Director General of the Food and Agriculture Organization of the United Nations to appoint a Representative who would participate in all meetings of the Commission and its subsidiary bodies, but without the right to vote.

2. The Contracting Parties agree that there should be cooperation between the Commission and other international fisheries commissions and scientific organisations which might contribute to the work of the Commission. The Commission may enter into agreements with such commissions and organisations.

3. The Commission may invite any appropriate organisation and any Government which is a member of the United Nations or of any specialised agency of the United Nations and which is not a member of the Commission, to send observers to meetings of the Commission and its subsidiary bodies.

ARTICLE IV

1. In order to carry out the objectives of this Convention the Commission shall be responsible for study of the populations of tuna and tuna-like fishes in the Convention area, and such other kinds of fishes utilized therein by tuna fishing vessels as the Commission may determine. Such study shall include research on the abundance, biometry and ecology of the fishes; the oceanography of their environment; and the effects of natural and human factors upon their abundance. The Commission in carrying out these responsibilities shall, insofar as feasible, utilize the technical and scientific services of, and information from, official agencies of the Contracting Parties and their political sub-divisions and may, when desirable and if available, utilize the services of, and information from, any public or private institution, organization or private individual, and may undertake, within the limits of its budget, independent research to supplement the research work being done by national governments, institutions or other international organizations.

2. The carrying out of the provisions in paragraph 1 of this Article shall include:

   (a) collecting and analysing statistical information relating to the current conditions and trends of the tuna fishery resources of the Convention area;

   (b) studying and appraising information concerning the methods to ensure the effective utilization of tuna and tuna-like fishes in the Convention area; not incosistent with the maximum sustainable catch of tuna and tuna-like fishes in the Convention area;

   (c) recommending to the Contracting Parties such studies and investigations on the basis of the recommendations made by the Panels to the Commission pursuant to the provisions of paragraph 1(c) of Article VI; and

   (d) publishing and otherwise disseminating reports of its findings and statistical, scientific and other information relating to the tuna fisheries of the Convention area.

ARTICLE V

1. At its first meeting, and thereafter at each regular meeting, the Commission shall select an additional _____ members, who, together with the Chairman, and the Vice-Chairmen, shall constitute the Council of the Commission. Each member of the Council shall be from a different Contracting Party. In selecting the members of the Council the Commission shall give due consideration to the geographic, tuna fishing and tuna processing interests of the Contracting Parties.

2. The Council shall perform such functions as are assigned to it in this Convention and such other functions as are delegated to it by the Commission, and shall meet at least once in the interim between regular meetings of the Commission. Between meetings of the Commission the Council shall make necessary decisions on the duties to be carried out by the staff and shall issue necessary instructions to the Executive Director. Decisions of the Council shall be made in accordance with rules to be established by the Commission.

ARTICLE VI

1. To carry out the objectives of this Convention the Commission may establish Panels on the basis of species, group of species, or of geographic areas. Each Panel:

   (a) shall be responsible for keeping under review the species, group of species, or geographic area under its purview, and for collecting scientific and other information relating thereto;

   (b) may propose to the Commission, upon the basis of scientific investigations, recommendations for joint action by the Contracting Parties;

   (c) may recommend to the Commission studies and investigations necessary for obtaining information relating to its species, group of species, or geographic area, as well as coordinated programs of investigations by the Contracting Parties.

2. Upon request from any of the Panels, an inter-panel meeting shall be held for the purpose of coordinating studies and recommendations to be made by respective Panels.

3. Membership in any Panel shall be open to any Contracting Party.

4. Each member of a Panel shall be represented on that Panel by its Commissioner or Commissioners, who may be assisted by experts or advisors.

5. Each member of a Panel shall have one vote. Decisions of the Panel shall be taken by a two-thirds majority of all the Contracting Parties who are members of that Panel.

6. A Commissioner shall have the right to attend, as observer for his Government, all meetings of any Panel to which his Government is not a party, and may be accompanied by experts and advisors.

7. Each Panel may meet when the Commission meets and at such other times as the Commission or the Panel may determine.

ARTICLE VII

The Commission shall appoint an Executive Director who shall serve at the pleasure of the Commission. The Executive Director, subject to such rules and procedures as may be determined by the Commission, shall have power and authority with respect to the selection and administration of the staff of the Commission. He shall also perform, inter alia, the following functions as the Commission may prescribe:

(a) assisting the Commission in the coordination of programs of investigation by the Contracting Parties;

(b) preparing budget estimates for review by the Commission;

(c) authorizing the disbursement of Commission funds according to the Commission's budget;

(d) accounting for the funds of the Commission;

(e) arranging cooperation with other organizations in accordance with Article III of this Convention;

(f) preparing the collection and analysis of data necessary to accomplish the purposes of the Convention particularly those data relating to the current and maximum sustainable catch of the tuna stocks;

(g) preparing for approval by the Commission the scientific, administrative and other reports of the Commission and its subsidiary bodies.

ARTICLE VIII

1. The Commission may, on the proposal of a Panel, recommend joint action to be taken by the Contracting Parties to maintain the populations of tuna and tuna-like fishes in the Convention area, and of such other kinds of fishes utilized therein by tuna fishing vessels as the Commission may determine, at levels which will permit the maximum sustainable catch. After consultation with all Panels concerned the Commission may make recommendations affecting any or all species and part or all of the Convention area.

2. Each recommendation made by the Commission under paragraph 1 of this Article shall become effective for all Contracting Parties six months after the date of the notification from the Commission transmitting the recommendation to the Contracting Parties whereupon the recommended joint action shall become binding, except as provided in paragraph 3 of this Article.

3. (a) If any member of a Panel for a species, group of species or geographic area to which a recommendation applies, or any Contracting Party when a recommendation does not apply to a particular species, group of species or geographic area, presents to the Commission objection to the recommendation within six months of the date of notification of the recommendation by the Commission, the recommendation shall not become effective for any Party for an additional sixty days. Thereupon any other member of the Panel concerned, or any other Contracting Party when a recommendation does not apply to a particular species, group of species or geographic area, may similarly object prior to the expiration of the additional sixty day period, or within thirty days of the date of notification of an objection made by another Contracting Party within such additional sixty days, whichever date shall be the later. The recommendation shall become effective, under the terms of this Article for all Contracting Parties at the end of the

extended period or periods for objection, except for those Contracting Parties which have presented objections. However, if objections have been presented by a majority of members of the Panel concerned, or a majority of all Contracting Parties when a recommendation does not apply to a particular species, group of species or geographic area, the recommendation shall not become effective.

(b) Notwithstanding the provisions of paragraph 3(a) above, if, within the six months period from the date of the notification of a recommendation by the Commission, an objection has been made to the recommendation by not more than one Contracting Party member of the Panel for species, group of species or geographic area to which a recommendation applies, or of the Commission when a recommendation does not apply to a particular species, group of species or geographic area; or an objection has been made by not more than one-fourth of the number of Contracting Parties members of the Panel for a species, group of species or geographic area to which a recommendation applies, or of the Commission when a recommendation does not apply to a particular species, group of species or geographic area; then the Commission shall immediately notify the party or parties having made the objection and the objection shall be deemed to have been withdrawn in accordance with paragraph (4) of this Article, unless the Contracting Party or Parties reaffirm the objection within two months of the date on the notification from the Commission relating to the fact that only one or less than one-fourth of the Contracting Parties concerned had made an objection. If the objection or objections made within the six months period from the date on the notification of the recommendation by the Commission are deemed to have been withdrawn in accordance with the provisions of this present paragraph, then any further objections received by the Commission after the lapse of six months from the date on the original notification of the recommendation by the Commission shall equally be deemed to have been withdrawn.

4. Any Contracting Party objecting to a recommendation may at any time withdraw that objection, and the recommendation shall become effective with respect to such Contracting Party immediately if the proposal is already in effect or at such time as it becomes effective under the terms of this Article.

5. The Commission shall notify each Contracting Party immediately upon receipt of each objection and of each withdrawal of objection, and of the entry into force of any recommendation.

ARTICLE IX

1. The Contracting Parties agree to take such action as may be necessary to make effective the provisions of this Convention and to implement any recommendations which become effective under Article VIII, including enactment of any necessary legislation and promulgation of any necessary regulations. Each Contracting Party shall transmit to the Commission, biennially or at any such other times as may be determined by the Commission, a statement of the action taken by it for these purposes.

2. The Contracting Parties agree:

(a) to furnish, on the request of the Commission, any available statistical and biological information the Commission may need for the purposes of this Convention, and

(b) to permit the Commission to obtain statistical and biological information on a voluntary basis from individual fishermen and companies when these are not otherwise available.

3. The Contracting Parties agree, in order to carry out the provisions of this Convention, to cooperate with each other in taking appropriate and effective measures, and in particular agree as follows:

(a) when any person or fishing vessel of a Contracting Party is actually engaged in operations in violation of the provisions in force under this Convention, or when there is reasonable ground to believe he or it has so engaged immediately prior thereto, the duly authorized officials of any Contracting Party may board such vessel and may investigate. If a violation is confirmed, the boarding agent shall notify the violation to the competent authorities of the flag state of the vessel.

(b) only the authorities of the Party to which the above-mentioned person or vessel belongs may try the offense and impose penalties therefor. The witnesses and evidence necessary for establishing the offense, so far as they are under the control of any of the Parties to this Convention, shall be furnished as promptly as possible to the Contracting Party having jurisdiction to try the offense.

(c) officials boarding a vessel under the terms of this paragraph shall present to the master of the boarded vessel credentials issued by their Government in a form prescribed by their Government and by the Commission.

4. The Contracting Parties agree to prohibit traffic in fish, in any form, taken in contravention of approved Commission recommendations to which they have not objected under the provisions of Article VIII.

ARTICLE X

The Contracting Parties agree:

(a) to invite the attention of any Government not a Party to this Convention to any matter relating to the fishing activities in the Convention area by the nationals or vessels of that Government, which appears to affect adversely the operations of the Commission or the achievement of the objectives of this Convention, and

(b) upon request of any Party, to confer upon the steps to be taken towards obviating such adverse effects or relieving any Contracting Party from such adverse effects.

ARTICLE XI

1. The Commission shall adopt a budget for the joint expenses of the Commission for the biennium following each regular meeting.

2. The Commission shall compute the payments due from each Contracting Pary under the budget according to the following formula:

(a) each Contracting Party shall contribute annually an amount equal to 3,000 United States dollars.

(b) each Contracting Party shall also contribute annually an amount equal to 3,000 United States dollars for each Panel membership.

(c) the Commission may, subject to the approval of each of the Contracting Parties, increase the contributions under (a) and (b) of this paragraph for any particular biennium if it is estimated that the budget for joint

expenses for any biennium may be in excess of the whole amount of contributions by each Contracting Party under (a) and (b). Such increase shall be one-third of the whole budgetary increase so estimated. The remainder of the joint expenses shall be financed by assessment on the Contracting Parties determined in relation to the amount of tuna caught plus the amount processed from the Convention area by the Contracting Parties during the previous biennium and approved by all of the Contracting Parties. For the purpose of this Convention, processing shall be considered to be _____.

3. The Council shall review the second half of the biennial budget at its regular meeting between Commission meetings and, on the basis of current and anticipated developments, may authorize reapportionment of amounts in the Commission budget for the second year within the total budget approved by the Commission.

4. The Executive Director of the Commission shall notify each Contracting Party of its yearly assessment. These contributions shall be payable on January 1 of the year for which the assessment was levied. Contributions not received before January 1 of the succeeding year shall be considered as in arrears.

5. Contributions to the biennial budget shall be payable in annual instalments in such currencies as the Commission may decide.

6. At its first meeting the Commission shall approve a budget for the balance of the first year the Commission functions and for the following biennium. It shall immediately transmit to the Contracting Parties copies of these budgets together with notices of the respective assessments for the first annual contribution, which contribution shall be made as soon thereafter as possible.

7. Thereafter, within a period not less than eight weeks before the regular meeting of the Commission which precedes the biennium, the Executive Director shall submit to each Contracting Party a draft biennial budget together with a schedule of proposed assessments.

8. A Contracting Party which is in arrears in the payment of its financial contributions to the Commission shall have no vote in the Commission if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two years. The Commission may, nevertheless, permit such a Contracting Party to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Contracting Party.

9. The Commission shall establish a Working Capital Fund composed of payments to be made by each Contracting Party in equal shares to finance operations of the Commission prior to receiving annual contributions, and for such other purposes as the Commission may determine. The Commission shall determine the Fund's level, assess advances necessary for its establishment, and adopt regulations governing the use of the Fund.

10. The Commission shall arrange an annual independent audit of the Commission's accounts. The reports of such audits shall be reviewed and approved by the Commission, or by the Council in years when there is no regular Commission meeting.

11. The Commission may accept contributions, other than provided for in paragraph 2 of this Article, for the prosecution of its work.

ARTICLE XII

Any Contracting Party or the Commission may propose amendments to this Convention. The Secretary General of the United Nations shall submit the text of any proposed amendment to all the Contracting Parties. Any amendment not involving new obligations shall take effect for all Contracting Parties upon its acceptance by three-fourths of the Contracting Parties. Any amendment involving new obligations shall take effect for all Contracting Parties upon its acceptance by three-fourths of the Contracting Parties. Any amendment involving new obligations shall take effect for each Contracting Party accepting the amendment upon acceptance by three-fourths of the Contracting Parties and therearter for each remaining Contracting Party upon acceptance by it. A government which becomes a Contracting Party after the amendment to this Convention has been opened for acceptance pursuant to the provisions of this Article shall be bound by the Convention as amended when the said amendment comes into force.

ARTICLE XIII

1. This Convention shall remain in force for fifteen years and thereafter until a majority of Contracting Parties agrees to terminate it.

2. At any time after ten years from the date of entry into force of this Convention, any Contracting Party may withdraw from the Convention on December thirty-first of any year by written notification of withdrawal given on or before December thirty-first of the preceding year to the Secretary General of the United Nations.

3. Any other Contracting Party may thereupon withdraw from this Convention on the same December thirty-first by giving written notification of withdrawal to the Secretary General of the United Nations not later than one month from the date of receipt of information from the Secretary General of the United Nations concerning any withdrawal, but not later than April 1 of that year.

ARTICLE XIV

Any question or dispute between Contracting Parties concerning the interpretation or application of this Convention which is not settled by negotiation shall be referred, at the request of any party to the dispute, to the International Court of Justice for decision, unless the parties concerned agree on another mode of settlement.

ARTICLE XV

1. This Convention shall be open for signature on _____ , and shall remain open for signature for 90 days thereafter, by any Government which is a Member of the United Nations or of any specialized agency of the United Nations. Any such Government which does not sign this Convention may accede to it at any time.

2. This Convention shall be subject to ratification or acceptance by Governments. Instruments of ratification or acceptance of this Convention and any amendments thereto shall be deposited with the Secretary General of the United Nations.

3. This Convention shall enter into force upon the deposit of instruments of ratification or acceptance by _____ Governments and shall enter into force with respect to each Government which subsequently deposits an instrument of ratification or acceptance on the date of such deposit.

ARTICLE XVI

The Secretary General of the United Nations shall inform all governments referred to in paragraph 1 of Article XV of deposits of instruments of ratification or acceptance, the entry into force of this Convention, proposals for amendments, notifications of acceptance of amendments, entry into force of amendments, and notifications of withdrawal.

ARTICLE XVII

The original of this Convention shall be deposited with the Secretary General of the United Nations who shall send certified copies to the Governments mentioned in paragraph 1 of Article XV.

IN WITNESS WHEREOF the representatives duly authorized by their respective Governments have signed the present Convention. Done at _____ this _____ day of _____ 1966 in the English, French, and Spanish languages, each version being equally authentic.

NOTES AND RESERVATIONS

1. The number of additional members of the Council provided for in Article V(1) and the number of ratifying or accepting Governments required in Article XV(3) to bring the Convention into force were felt by the Working Party to be related and not capable of definition prior to the Conference of Representatives duly authorized by their respective Governments to conclude this International Convention for the Conservation of Atlantic Tunas. Accordingly those numbers were blank in this draft.

2. The definition of the word processing in Article XI will have a bearing on the amount of contribution to be paid to the Commission by particular countries. Accordingly the Working Party left this blank in Article XI(2) (c) so that it could be established by the Conference of Plenipotentiaries in accordance with its desires.

3. The French Delegation declared that it would have preferred ICES to study the question of protection of tuna stocks and that, on the other hand, according to advice received by their scientific experts who already have experience in the matter, this study should not be limited to tunas but should be extended to cover all fisheries problems of the tropical Atlantic. These two points not having been adopted, the French Delegation adheres to the point of view of the majority, but wants to stress the importance it gives to a close control by the member governments of all expenditures of the Commission.

4. The delegate of Brazil reserved the position of his Government with respect to the sentence "Such increase shall be one-third of the whole budgetary increase so estimated" in Article XI(2) (c).

5. The delegate of Nigeria expressed a reservation with regard to: (a) the level of the annual equal contributions in sub-paragraphs (a) and (b) of paragraph 2 of Article XI, (b) the provisions for increase in the budget made in sub-paragraph (c) of same paragraph 2 of same Article XI, and (c) to paragraph 9 of same Article XI.

6. The Portuguese Delegation presented strong reservations to Article XI either as it appeared in the draft included in Document WPUTR/2/WP 2 verbally amended by the U.S. Delegation, or in the draft included in the revised form of that document.
In the opinion of that Delegation it was extremely difficult in this stage of the debate, to allocate the amount for national quotas when the number, and particularly the criteria for the establishment of Panels (by species or by areas) were not yet established.
In order to make clear this point of view, the Portuguese Delegation wished to call the attention of the Working Party to the fact that Portuguese interest in tuna fisheries in the Atlantic is considerably less important than that in the cod fisheries of the Northwest Atlantic area. Therefore it cannot be expected that the Portuguese Government would accept a criterion for the costing of the national quotas to the new Convention which would be substantially larger than the Portuguese contribution, for example, to ICNAF.

ANNEX 5

RELATIONSHIP BETWEEN THE PROPOSED COMMISSION AND FAO

At its first and second sessions a majority of the Working Party stressed the need to take effective measures for the conservation of stocks of tuna and tuna-like fishes in the Atlantic, and accordingly at its second session, prepared a draft Convention creating an international commission to carry out this task. The objective of the draft Convention is to promote cooperation in the maintenance of the populations of tuna and tuna-like fishes in the Atlantic, at levels which would permit the maximum sustainable catch to be obtained.

Thus, it is hoped that the Commission will make a major contribution towards the improvement of nutritional and economic levels in many countries through its work on the conservation of this important food source.

The Working Party considered that in view of the responsibilities of FAO as set out in the Preamble and in Article I of the FAO Constitution there should be close co-operation between FAO and the proposed Commission on matters of mutual concern. The need for this cooperation has been reflected in the draft Convention itself, which provides, in Article III.1 that close relations should be established between the Commission and FAO, and that the Commission shall enter into negotiations with FAO with a view to concluding agreements as provided for in Article XIII of the FAO Constitution, and that such agreements should provide, inter alia, for the appointment by the Director-General of FAO of a Representative who would participate in all meetings of the Commission and its subsidiary bodies, without a right to vote.

The Working Party recommends that once the proposed Commission is created its relations with FAO should be established on a formal basis in an agreement containing provisions on the lines of those indicated below.

(a) Cooperation and Consultation - This should define the field of cooperation between FAO and the Commission; stipulate that consultation between the Executive Director of the Commission and his staff, on the one hand, within the limits authorized, and of the Director-General of the Organization and his staff on the other, should take place at all stages of planning and execution of programs of interest to both parties. The Executive Director and the Director-General should be empowered to agree from time to time on cooperation by various means, such as secondment of staff; provision of specific services, e.g. in the field of statistics, against reimbursement of costs; organization of joint meetings; joint appointment of consultants, etc.

(b) Reciprocal Representation - This should provide for representation of the Commission at meetings of the FAO Conference and Council and the other FAO meetings in which the Commission has an interest, and reciprocal representation of FAO through its Representative provided for in Article III of the

Draft Convention, or his alternate, at meetings of the Commission, Council, Panels; and other subsidiary bodies including in particular statistical bodies of the Commission.

(c) Exchange of Information and Documentation - A general provision should lay down that all relevant information and documentation should be exchanged between the two organizations.

(d) Proposal of Agenda Items for Meetings - A general provision should be inserted to the effect that after such preliminary consultations as may be necessary FAO and the Commission shall include on the provisional agenda of their governing bodies, and, as appropriate of other bodies that the Organizations may create, items proposed by the other Organization.

(e) Implementation of the Agreement - In this connection there should be a provision expressly authorizing the Director-General and the Executive Director to make the necessary arrangements to implement the Agreement.

ANNEX 6

WORKING GROUP ON STATISTICS OF ATLANTIC TUNA AND TUNA-LIKE FISHES

1. The Working Party established a Working Group on Statistics to report on (a) documents WPUTR/2/IP 3, 4, 6, 7, 8, 9, 10, 12 and 20 and (b) Agenda Item 7 of the second session of the Working Party. The Working Group consisted of representatives of France, Japan, Portugal and the U.S.A. and the observer for the Federal Republic of Germany. The Group met under the Chairmanship of Dr. J. L. McHugh (U.S.A.) with Mr. L. P. D. Gertenbach (FAO Secretariat) as Rapporteur.

2. The Working Group reviewed document WPUTR/2/IP 12 presented by the delegation of the United States of America and expressed its appreciation for this very useful attempt to assemble and analyse current trends in the Atlantic tuna. It felt that any inadequacies in this paper strengthened the arguments for more detailed and accurate statistics to be collected and made internationally available for similar studies in the future. It was suggested that these studies would be even more useful if the authors would contact regional experts with access to local studies amplifying purely regional fisheries conditions.

3. The Working Group noted that the inter-agency common statistics-reporting system (the STANA system) adopted by FAO, ICES and ICNAF in the North Atlantic is resulting in improved accuracy, promptness, comparability, etc., in the fishing statistics, while reducing the work at the national level when reporting to the different agencies. The adoption of a program of close co-operation and co-ordination in the collection of statistics from national offices by FAO and the new Commission would be of benefit not only to FAO and the Commission but also to the other international organizations and the various national offices.

4. The Working Group reviewed the statistical materials presented in tables in documents WPUTR/2/IP 6, 7, 8, 9, 10 and 20. It noted that these will be improved, refined and corrected where necessary by the FAO Secretariat. It recommended that the above tables be incorporated in a Bulletin of Fishery Statistics and distributed as a background document to the Conference of Plenipotentiaries.

5. The Working Group suggested that the tables appearing in the various documents and to be included in the Bulletin for the Conference of Plenipotentiaries should be extended if possible by the addition of tables showing:

(a) for the principal areas of the Atlantic, the annual catch composition by (i) countries, (ii) species, (iii) gear types, as specified in the Report of the First Session of the Working Party and (iv) months;

(b) by countries, the production of canned products from tuna species caught in the Atlantic;

(c) the fishing fleet by countries, broken down, where available, by types;

(d) exports and imports of Atlantic tuna products.

The Group noted that it would be difficult to obtain separate data on the imports and exports of tuna from the Atlantic. However, FAO should try to prepare a table showing the estimated magnitude of this trade.

6. The Working Group welcomed the detailed information being published by Japan. It noted that in many instances the catch data are expressed in "numbers of fish" and not in weight units. It welcomed the suggestion of the representative of Japan that an attempt would be made to provide conversion factors to permit the calculation of the catch by quadrangles in terms of metric tons round weight.

7. The Working Group felt that there would be no need for FAO to prepare for the Conference of Plenipotentiaries a detailed paper on a proposed system for the collection of catch/effort statistics covering the Atlantic tunas. However, it felt that such a paper might usefully be presented to the first session of the Commission and that FAO should, as suggested in the Report of the First Session of the Working Party, continue to expand its activities to obtain data on catch and effort in the Atlantic tuna fisheries. This would ensure that some basic trend data would be available to the Commission at its first session. The Working Group felt that it was not in a position to propose to either FAO or the Commission the nature of these statistics but suggested that FAO should take into account the useful material assembled in document WPUTR/2/IP 4.

8. To be useful for scientific purposes, data on tuna catches and fishing effort alone are not sufficient. Catches must be identified by species, and the geographic location of the catch must be stated as precisely as possible. When catches are reported as numbers of fish it will be necessary also to provide data on the frequency distribution of weights of individual fish, or average weights of the fish in the catch, so that the total weight can be estimated. Size composition of the fish should be regularly sampled. Efforts should be continued to develop a reliable method of determining age of tunas, because it is important to know the age composition of the fish in the catch. Information concerning size composition of fish in the catch must be gathered by scientists or technicians at sea, or at the port of landing. It would be desirable to know both the numbers and the weight of the tunas in the catch.

9. Information on catch and effort for biological purposes will be obtained best by using a system of log books carried aboard the fishing vessel, or by personal interview of captains at the port of landing by trained personnel, or by a combination of both methods. These systems should be designed by scientists and the personnel who gather the data should be carefully trained.

10. Weights of fish should be reported, if possible, as "round weight" or "live weight". If weight is reported in other terms, such as "dressed weight", adequate conversion data must be provided.

11. In the Atlantic Ocean tunas are caught by at least five important kinds of gear: long lines, purse seines, hook and line, trolling, and "madragues" (tuna traps). The kind of gear must be reported, and the number and size of units of gear must be specified. Each kind of gear has its own unique fishing power, and appropriate methods of standardization must be developed. Even among a fleet using a single type of gear there are differences in fishing power related to size of vessel and other characteristics. Techniques of standardization must be worked out carefully by experienced scientists. Methods are available, and useful advice can be obtained by consulting with the staffs of existing national and international laboratories.

12. The geographic locations of catches usually can be reported in terms of latitude and longitude. If possible, catches should be reported and recorded by 1° quadrangles of latitude and longitude. For reporting in statistical summaries and other general documents 5° quadrangles of latitude and longitude probably will be adequate.

13. Serious consideration should be given to storing catch and effort data, with their associated biological information, on cards or tape for machine processing.

14. At the outset, some countries will need help in gathering the necessary statistics. FAO, the Commission, the Contracting Parties and other interested countries should try to assist each other so that the information obtained can be as accurate and as complete as possible.

28893/10.65/E/1/2000